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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,892	03/31/2001	Jochen Kappel	051207-1010	7564

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EXAMINER

LAO, SUE X

ART UNIT	PAPER NUMBER
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2126

10

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,892

Applicant(s)

KAPPEL ET AL.

Examiner

S. Lao

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-20 are presented for examination.

3. Applicant recites a co-pending application by the attorney docket number on page 1 of the specification. Please update the docket number into U. S. application serial number.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al (US Pat. 5,375,234) in view of Tate (US Pat. 5,463,769).

As to claim 1, Davidson teaches a system for providing dynamic definition (update data dictionary to reflect changes to objects) of an application object (objects, col. 1, lines 20-24), comprising:

means for providing an application dictionary (data dictionary) that contains information (information) about the application object (col. 1, lines 9-40);

means for modifying the application dictionary (update the data dictionary) to modify a definition (col. 1, lines 9-40) of the application object (reflect changes to objects). See col. 4, lines 21-52; col. 6, lines 29-37.

Davidson does not teach object-oriented system implementation, nor means for providing a class dictionary entry that defines meta information about the application object.

Tate teaches object-oriented implementation of dictionary management (abstract, lines 7-8), including means for providing a class dictionary entry (mode dictionary entry for each class, col. 4, lines 31-32) to define the meta information about an application object (dictionary of class method dictionaries). See col. 2, line 50 – col. 3, line 1; col. 4, line 48 – col. 5, line 11.

Given the teaching of Tate, it would have been obvious to implement the dictionary management of Davidson with an object-oriented system and to include means for providing a class dictionary entry that defines meta information about the application object of Davidson. One of ordinary skill in the art would have been motivated to combine the teachings of Davidson and Tate because this would have provided a dictionary data structure which simplifies the change of mode of operations (Tate, col. 2, lines 38-40; col. 5, lines 24-34) which is desirable in Davidson (multiple modes supported such as create, delete, etc, col. 4, lines 21-32).

As to claim 2, Davidson teaches means for determining the default location of the application object (origin, col. 1, lines 11-14).

As to claim 3, validating an operation to a data structure is conventional. For example, deleting a non-existent object or data item would be an invalid operation. Davidson teaches deletion as a modification operation to the application dictionary (col. 4, lines 21-32; col. 6, lines 29-37). Therefore, it would have been obvious to check whether the object/data to be deleted exists, ie, to validate the application dictionary modification.

As to claim 4, Davidson teaches means for saving the modified definition of the application object (update data dictionary to reflect changes to objects) (discussion of

claim 1). Note discussion of claim 3 for validating the application dictionary modification.

As to claim 5, Davidson as modified teaches (Tate) means for defining a list of allowable attributes (list of supported methods) to be changed (add/delete, col. 4, line 48 – col. 5, line 11).

As to claims 6-10, these are method claims of claims 1-5, respectively, thus note claims 1-5 for discussions.

As to claims 11-15, these are program product claims of claims 1-5, respectively, thus note claims 1-5 for discussions.

As to claims 16-20, these are system claims of claims 1-5, respectively, thus note claims 1-5 for discussions. Further note the equivalence of modifier / means for modifying regarding claim 16, validation mechanism / means for validating regarding claim 18, and save mechanism / means for saving regarding claim 19.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The examiner's supervisor, SPE Meng-Ai An, can be reached on (703) 305 9678. The examiner can normally be reached on Monday - Friday, from 9AM to 5PM. The fax phone number for the organization where this application or proceeding is assigned is (703) 872 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Sue Lao *Sue Lao*
March 3, 2004